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IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION NO 2790 **/2003**

PETITIONER - B.B. Sharma, Age, 50 year
S/o Radheshyam Sharma,
Assistant Engineer,
Rural Engineering work
Department.
Sub-Devision Wamdraf nagar.
District - Sarguja (C.G.)

// VERSUS //

RESPONDENTS - **State of Chhattisgarh,**

1. Through Secretary Panchayat and Rural, Devlopment Department, Dau Kalyan Singh Bhawan, Raipur (C.G.)

2. Depty Secretary, Chhattisgarh State Panchayat and Rural Development Department, Dau Kalyan Singh Bhawan Raipur(C.G.

3. Chief Executive Officer, Jila Panchayat, District - Surguja (C.G.)

4. Supritending Engineer, Rural Enginearing Work, Bilaspur, Division, Bilaspur (C.G.)

P. R. No. 2636/03
Presented by Shri Pradhan Verma
dated 03.09.03

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WRIT PETITION UNDER ARTICALE 226 OF CONSTITUTION OF INDIA

XI-HC-22

(23)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक WP 2798/03 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	09.09.2003 Shri Ravish Verma, counsel for the petitioner. Shri Ranbir Singh, Govt. Advocate for the State/respondents 1, 2 and 4. Heard both the counsel. By this petition under Article 226 of the Constitution of India, the petitioner seeks to challenge the impugned transfer order dated 21.08.2003 through which the petitioner has been transferred from Rural Engineering Work, Sub Division: Wadraff Nagar, Distt. Sarguja to the Project Implementation Unit, Prime Minister Rural Road Development. The case of the petitioner is that he was employed as Assistant Engineer in Rural Development Water Resources Department and is working as Assistant Engineer in Rural Engineering Works Departments on deputation. The petitioner will retire on 29.02.2004 on attaining the age of superannuation. The petitioner filed an application before respondent No.2 on 24.06.2003 for transfer to the original Department because the retirement of his service is left only a six months and an application also required by respondent No.4 vide letter dated 13.05.2003 for necessary action subject to the Retirement Rules. After the impugned order dated 21.08.2003 of	

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

WP 2750/03

मामला क्रमांक ..... **सन्** **200**

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित —2—	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

respondent No.2 received on 27.08.2003, the petitioner has been transferred as Assistant Engineer, Prime Minister Rural Road Development Scheme which is illegal and arbitrary. A representation was made on 29.08.2003 before respondent No.2 (Annexure P-4) and that has not been considered so far.

Learned counsel for the petitioner submits that the petitioner is about to retire within a period of six months and therefore, the petitioner requested that he should be sent back to his parent department so that his retiral benefits etc. may be fixed without which he will be put to hardship and that representation has not been decided so far.

Having heard the learned counsel for the parties and having regard to the facts and circumstances of the case, the petitioner is allowed to make a detailed representation before respondent No.1 raising all his grievances within a period of ten days from today and respondent No.1 shall decide the same within a period of thirty days from the date of the receipt of the representation and pass an objective, speaking and reasoned order. Meanwhile, the petitioner should not be forced to leave the present place of posting till the representation is decided if he has not already been relieved from there.

(25)

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

WP 27818

मामला क्रमांक ..... सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित -3-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	Accordingly, the petition stands disposed of. Parties are entitled for certified copy of this order. Sd/- L.C.BHADOO Judge	

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